

1	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)		
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345	IN RE: VIAGRA (SILDENAFIL CITRATE) AND CIALIS (TADALAFIL) PRODUCTS LIABILITY LITIGATION	Case No.: 3:16-md-02691-RS MDL No. 2691 Case No:	
6	TIMOTHIN L. DRUNGADD		
7	TIMOTHY L. BRUNGARD,	Master Short Form Complaint	
8	Plaintiff,		
9	v.		
10	ELI LILLY AND COMPANY,		
11	Defendant.		
12			
13	Plaintiff, TIMOTHY L. BRUNGARD, incorporates by reference the Plaintiffs' Master		
14	Long Form Complaint(s) filed with United States District Court for the Northern District o		
15	California in the matter of In re: Viagra (Sildenafil Citrate) and Cialis (Tadalafil) Product.		
16	Liability Litigation. Plaintiff further shows the court as follows:		
17	1. Defendant(s) against whom Complaint is made:		
18	a. X Eli Lilly and Company		
19	b Pfizer Inc.		
20	c Other (specify Defendant)		
21	2. Plaintiff's Full Name:		
22	a. Timothy L. Brungard		
23	3. Name of the party or deceased who ingeste	ed Viagra/Revatio (sildenafil citrate) (hereinafter	
24	"Viagra") and/or Cialis/Adcirca (tadalafil) (hereinafter "Cialis") and suffered injury, in		
25	different than Plaintiff:		
26	a. N/A		
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1	4. Name of additional or other Plaintiff, including loss of consortium Plaintiff(s) (i.e.		
2	administrator, executor, guardian, conservator):		
3	a. <u>N/A</u>		
4	5. Plaintiff's current city and state of residence:		
5	a. Fountain Hills, Arizona		
6	6. District Court in which venue would be proper absent direct filing:		
7	a. <u>District of Arizona</u>		
8	7. City and state of Plaintiff or Decedent when he/she was diagnosed with melanoma:		
9	a. Fountain Hills, Arizona		
10	8. Approximate dates that the Plaintiff or Decedent ingested Viagra (if applicable):		
11	a. Start date: N/A		
12	b. Stop date: N/A		
13	9. Approximate dates that the Plaintiff or decedent ingested Cialis (if applicable):		
14	a. Start date: <u>01/11/2015</u>		
15	b. Stop date: <u>04/20/2016</u>		
16	10. Date(s) that Plaintiff was diagnosed with melanoma which he/she alleges was caused by		
17	Viagra and/or Cialis:		
18	a. <u>06/23/2017</u>		
19	11. Date of death of Decedent, if applicable:		
20	a. <u>N/A</u>		
21	12. Master Complaint Adopted (check one or both):		
22	a Pfizer Master Complaint		
23	b. X Eli Lilly Master Complaint		
24	13. Counts in the Master Complaint(s) brought by Plaintiff(s):		
25	a. Count 1 (Negligence): X		
26	b. Count 2 (Gross Negligence): X		
27	c. Count 3 (Negligence Per Se): X		
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1	d.	Count 4 (Unfair and Deceptive Trade Practices: Unfairness) X
2	e.	Count 5 (Unfair and Deceptive Trade Practices: Fraud) X
3	f.	Count 6 (Unfair and Deceptive Trade Practices: Unlawfulness) X
4	g.	Count 7 (Strict Liability – Defective Design): X
5	h.	Count 8 (Strict Liability – Failure to Warn):X
6	i.	Count 9 (Failure to Test): X
7	j.	Count 10 (Breach of Express Warranty): X
8	k.	Count 11 (Breach of Implied Warranty): X
9	1.	Count 12 (Fraudulent Misrepresentation and Concealment):X
10	m.	Count 13 (Negligent Misrepresentation and Concealment):X
11	n.	Count 14 (Fraud and Deceit): X
12	0.	Count 15 (Willful, Wanton, and Malicious Conduct): X
13	p.	Count 16 (Unjust Enrichment): X
14	q.	Count 17 (Loss of Consortium):
15	r.	Count 18 (Survival):
16	s.	Count 19 (Wrongful Death):
17	t.	Count 20 (Punitive Damages):X
18	u.	Other:
19	14. Jury Demand	
20	a.	Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff(s) hereby demand a trial
21		by jury as to all claims in this action: Yes X No
22		
23	Dated this the 29th day of May, 2019.	
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Respectfully submitted on behalf of the Plaintiff, Jennifer Liakos (CA SBN 207487) Hunter J. Shkolnik (Pro Hac Vice Pending) Napoli Shkolnik PLLC (310) 331-8224 (Phone) (646) 843-7603 (Facsimile) Email: jliakos@NapoliLaw.com Email: hshkolnik@NapoliLaw.com